



PUBLIC NOTICE

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**COMMENTS INVITED ON APPLICATIONS OF
AT&T SERVICES, INC. ON BEHALF OF BELL SOUTH TELECOMMUNICATIONS, LLC
D/B/A AT&T SOUTHEAST TO DISCONTINUE CERTAIN DOMESTIC BUSINESS
TELECOMMUNICATIONS SERVICES IN TRIAL WIRE CENTERS**

WC Docket Nos. 15-274, 15-278 & 15-279

GN Docket No. 13-5

GN Docket No. 12-353

Comp. Pol. File Nos. 1255, 1256 & 1257

Comments Due: December 18, 2015

Section 214 Application

Applicant: AT&T Services, Inc. on behalf of BellSouth Telecommunications, LLC d/b/a AT&T Southeast

On November 4, 2015 and November 5, 2015, AT&T Services, Inc. (AT&T or Applicant) filed applications with the Federal Communications Commission (FCC or Commission) on behalf of its affiliate, BellSouth Telecommunications, LLC d/b/a AT&T Southeast (AT&T Southeast or Applicant),¹ requesting authority, under section 214 of the Communications Act of 1934, as amended,² and section 63.71 of the Commission's rules,³ to "grandfather" three domestic business telecommunications services to new customers in its service-based experiment trial wire centers serving Carbon Hill, Alabama and serving Kings Point, Florida (collectively, Trial Wire Centers): BellSouth Analog Voice Grade Private Line Services; BellSouth Analog Video Service-TV-1; and BellSouth Program Audio Service (a.k.a. BellSouth SPA Program Audio) (collectively, Affected Services). AT&T indicates that if authority is granted by the Commission its initial plans to "grandfather" the Affected Services would entail continued service to existing customers and the offer of only next generation wireless and wireline Internet Protocol (IP)-based alternatives for new orders.⁴ The three business services that AT&T seeks to grandfather and the IP-based alternatives that it identifies are described in greater detail below.

AT&T identifies the instant applications as the "[f]irst [t]ranche" of the first phase of its proposed service-based experiment filed in response to the Commission's January 2014 *Technology Transitions*

¹ AT&T Southeast's address is listed as 675 W Peachtree Street NW, Atlanta GA 30308.

² 47 U.S.C. § 214.

³ 47 C.F.R. § 63.71.

⁴ See AT&T Proposal for Wire Center Trials, GN Docket Nos. 13-5 and 12-353 at 10-11 (filed Mar. 11, 2014) (redacted version for public inspection) ("AT&T Proposal"). AT&T's proposal did not request any relief from the Commission at that time.

Order.⁵ In that order, the Commission, solicited proposals for “service-based experiments” – i.e., “experiments in which incumbent providers seek to substitute new communications technologies for the TDM-based services over copper lines that they currently are providing to customers.”⁶ In response to the *Technology Transitions Order*, on February 27, 2014, AT&T filed a proposal to conduct service-based experiments in the Trial Wire Centers.⁷ The stated goal of the trials is to evaluate how customers are affected by the transitions away from time-division multiplex (TDM)-based services over to wireline and wireless all-IP services.⁸ In its filing, AT&T stated that it intends to proceed with the trial in two phases.⁹ In the first phase, AT&T will seek permission to “grandfather” existing accounts for TDM-based services.¹⁰ In the second phase, AT&T will seek permission to transition all existing customer accounts to the IP-based services.¹¹

While AT&T submits these applications in the context of its proposed service-based trials, we note that these services have very few or no customers, and thus are distinct from the more widely deployed retail and wholesale services that were the focus of the January 2014 *Technology Transitions Order* and the narrative that accompanies AT&T’s February 2014 filing.¹² If and when AT&T seeks Commission authority to move forward with the trial for such services, the Bureau expects that it will issue a standalone public notice setting a comment cycle outside of the typical 214 process.

Analog Voice Grade Private Line Services. AT&T indicates that AT&T Southeast currently offers BellSouth Analog Voice Grade Private Line Services (Analog Voice Grade Private Line Services) in the Trial Wire Centers. AT&T describes Analog Voice Grade Private Line Services as legacy TDM-based services that provide an analog channel for the transmission of asynchronous, or synchronous serial data at rates of up to 19.2, 50.0, or 230.4 Kbps.¹³ AT&T explains that AT&T Southeast also offers optional

⁵ See Letter from David L. Talbott, Assistant Vice President, Federal Regulatory, AT&T Services Inc., to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket Nos. 13-5, 12-353, Attach. at 1 (filed Oct. 30, 2015).

⁶ *Technology Transitions, et al.*, GN Docket No. 13-5 et al., Order, Report and Order and Further Notice of Proposed Rulemaking, Report and Order, Order and Further Notice of Proposed Rulemaking, Proposal for Ongoing Data Initiative, 29 FCC Rcd 1433, 1441, para. 22 (2014) (*Technology Transitions Order*).

⁷ AT&T Proposal for Wire Center Trials, GN Docket Nos. 13-5 and 12-353 (filed Feb. 27, 2014) (confidential version); see also AT&T Proposal.

⁸ See AT&T Proposal at 12.

⁹ See AT&T Proposal, Operating Plan at 1.

¹⁰ See AT&T Proposal, Operating Plan at 1, 12 n.23.

¹¹ *Id.*

¹² See AT&T Proposal at 17-18 (“AT&T proposes to include in the trials all of its consumer TDM-based voice and internet access transport services, and to offer AT&T’s U-verse Voice service, AT&T’s U-verse High Speed Internet services, and AT&T Mobility’s Wireless Home Phone and Wireless Home Phone and Internet with 4G LTE Broadband services in place of those TDM services.”); AT&T Proposal at 28-29 (“AT&T intends to pursue additional phases of these trials that would include, with the Commission’s authorization through the Section 214 process, the complete withdrawal of TDM-based wholesale services. . . . Accordingly, AT&T has identified the replacement products that already are available as alternatives to current legacy TDM services – such as the AT&T Switched Ethernet (ASE) service that is available to replace DSn-level special access services and high capacity loop and transport UNEs – and will provide customers who choose to do so the opportunity to transition to those alternatives in this initial phase of the trial.”).

¹³ See Section 63.71 Application of BellSouth Telecommunications, LLC d/b/a AT&T Southeast For Authority Pursuant to Section 214 of The Communications Act of 1934, As Amended, To Discontinue the Provision of

arrangements at 18.74 or 40.08 Kbps.¹⁴ AT&T indicates, however, that AT&T Southeast plans to grandfather Analog Voice Grade Private Line Services in the Trial Wire Centers on or after February 16, 2016, pending regulatory approval.¹⁵ AT&T states that AT&T Southeast currently has no customers that subscribe to Analog Voice Grade Private Line Services in the Trial Wire Centers.¹⁶ The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed grandfathering of the Affected Services because there is “no customer demand” for the services.¹⁷ AT&T adds that AT&T Southeast offers IP-based replacement services that provide the same functionality over a more flexible architecture.¹⁸ AT&T specifies that AT&T Southeast currently offers AT&T Switched Ethernet 2.0 Mbps (ASE 2.0) service and AT&T Business DSL Internet service (IPDSL) as replacements for Analog Voice Grade Private Line Services.¹⁹ According to AT&T, ASE 2.0 Mbps service is an Ethernet transport service that offers a variety of configurations to meet customers’ needs, and IPDSL service is a high speed Internet service for small to medium businesses that allows customers to send and receive data over existing telephone lines.²⁰ AT&T asserts that AT&T Southeast is considered dominant with respect to these services.²¹

Analog Video Service-TV-1. AT&T indicates that AT&T Southeast currently offers BellSouth Analog Video Service-TV-1 (a.k.a. BellSouth SPA Broadcast Quality Video) (Analog Video Service-TV-1) in the Trial Wire Centers.²² AT&T describes Analog Video Service-TV-1 as a legacy TDM-based video service that provides one-way transmission of National Television Systems Committee video signals between customer designated premises or between a customer designated premises and a Telephone Company central office via fiber optic facilities.²³ AT&T explains that Analog Video Service-TV-1 transports one channel of video and up to four audio channels at 30 Hz to 6.6 MHz.²⁴ AT&T

Service, WC Docket No. 15-278, Technology Transitions, GN Docket No. 13-5, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition, at 2 (filed Nov. 5, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001306552> (Analog Voice Grade Private Line Services Application).

¹⁴ Analog Voice Grade Private Line Services Application at 2; *see also* BellSouth Telecommunications Tariff, FCC No. 1, Sections 7.2.3 and 23.5.2.3.

¹⁵ Analog Voice Grade Private Line Services Application at 2.

¹⁶ AT&T states that there are no customers that currently subscribe to BellSouth’s affected interstate Analog Voice Grade Private Line Services, but AT&T indicates that there are very few customers in the Affected Areas that subscribe to BellSouth’s intrastate Analog Voice Grade Private Line Services. AT&T asserts that it is following the applicable state regulatory processes to grandfather its intrastate Analog Voice Grade Private Line Services, and counsel for AT&T confirms that all customers were sent notice of the plans to grandfather these services. *Id.* at 3.

¹⁷ Analog Voice Grade Private Line Services Application at 2-4.

¹⁸ *Id.* at 2-3.

¹⁹ *Id.* at 3.

²⁰ *Id.*

²¹ *Id.* at 2-4.

²² Section 63.71 Application of Bellsouth Telecommunications, LLC d/b/a AT&T Southeast For Authority Pursuant to Section 214 of The Communications Act of 1934, As Amended, To Discontinue the Provision of Service, WC Docket No. 15-274, Technology Transitions, GN Docket No. 13-5, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition at 1-2 (filed Nov. 4, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001306345> (Analog Video Service-TV-1 Application).

²³ Analog Video Service-TV-1 Application at 2.

²⁴ *Id.*; *see also* BellSouth Telecommunications Tariff, FCC No. 1, Sections 7.2.5 and 23.5.2.5.1.

indicates, however, that AT&T Southeast plans to grandfather Analog Video Service-TV-1 in the Trial Wire Centers on or after February 16, 2016, pending regulatory approval.²⁵ AT&T states that AT&T Southeast currently has no customers that subscribe to Analog Video Service-TV-1 in the Trial Wire Centers.²⁶ The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed grandfathering of Analog Video Service-TV-1 because there is no customer demand for this service.²⁷ AT&T states that AT&T Southeast currently offers Serial Component Video Service (SCVS) to satisfy market demand for video transport services.²⁸ AT&T describes SCVS as an IP-based digital video service that provides standards-based 270 Mbps digital video transport for one-way transport of high quality digital video and audio signals.²⁹ According to AT&T, SCVS transmits digital video signals in an uncompressed format with no loss of video quality.³⁰ AT&T emphasizes that SCVS is currently available throughout the Trial Wire Centers.³¹ AT&T asserts that AT&T Southeast is considered dominant with respect to this service.³²

Program Audio Service. AT&T indicates that AT&T Southeast currently offers BellSouth Program Audio Service (a.k.a. BellSouth SPA Program Audio) (Program Audio Service) in the Trial Wire Centers.³³ AT&T describes Program Audio Service as a legacy TDM-based transport service that transmits music audio signals at 50-15,000 Hz, 200-3,500 Hz, 100-5,000 Hz, or 50-8,000 Hz.³⁴ AT&T explains that the actual bandwidth of Program Audio Service is a function of the channel interface selected by the customer.³⁵ AT&T indicates, however, that AT&T Southeast plans to grandfather Program Audio Service in the Trial Wire Centers on or after February 16, 2016, pending regulatory approval.³⁶ AT&T states that AT&T Southeast currently has no customers that subscribe to Program Audio Service in the Trial Wire Centers.³⁷ The Applicant maintains that the public convenience and necessity will not be adversely affected by the proposed grandfathering of Program Audio Service because there is no customer demand for this service.³⁸ AT&T states that AT&T Southeast is not currently offering an IP-based replacement for Program Audio Service in the Affected Areas because there has been no demand for a

²⁵ Analog Video Service-TV-1 Application at 2.

²⁶ *Id.* at 3.

²⁷ *Id.* at 2-4.

²⁸ *Id.* at 3.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.* at 2-4.

³³ Section 63.71 Application of BellSouth Telecommunications, LLC d/b/a AT&T Southeast For Authority Pursuant to Section 214 of The Communications Act of 1934, As Amended, To Discontinue the Provision of Service, WC Docket No. 15-279, Technology Transitions, GN Docket No. 13-5, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition at 1-2 (filed Nov. 4, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001306357> (Program Audio Service Application).

³⁴ Program Audio Service Application at 2.

³⁵ *Id.*; see also BellSouth Telecommunications Tariff, FCC No. 1, Section 7.2.4.

³⁶ Program Audio Service Application at 2.

³⁷ *Id.* at 2-3.

³⁸ *Id.*

replacement service in the Trial Wire Centers.³⁹ AT&T asserts that AT&T Southeast is considered dominant with respect to this service.⁴⁰

In accordance with section 63.71(d) of the Commission's rules, AT&T's application(s) will be deemed granted automatically on January 17, 2016, the 60th day after the release date of this Public Notice, unless the Commission notifies AT&T that the grant(s) will not be automatically effective.⁴¹ We note that the date on which an application for Commission authorization is deemed granted may be different from the date on which an applicant is authorized to discontinue, reduce, or impair service. In the Application(s), AT&T indicates that AT&T Southeast plans to grandfather the Affected Services to new customers in the Trial Wire Centers on or after February 16, 2016, pending regulatory approval. Accordingly, pursuant to section 63.71(d) and the terms of the Application, absent further Commission action, AT&T Southeast may grandfather the Affected Services in the Trial Wire Centers on or after **February 16, 2016**, in accordance with AT&T's filed representations. For purposes of computation of time when filing a petition for reconsideration or application for review, or for judicial review of the Commission's decision, the date of "public notice" shall be the latter of the auto grant date stated above in this Public Notice, or the release date of any further public notice or order announcing final action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and WC Docket No. 15-274 will be closed.

Comments addressing this application must be filed with the Commission on or before **December 18, 2015**. Such comments should refer to **GN Docket No. 13-5**, **GN Docket No. 12-353** and the following WC Docket and Comp. Pol. File Nos. as applicable: **WC Docket No. 15-278** and **Comp. Pol. File No. 1255** for the Analog Voice Grade Private Line Services Application; **WC Docket No. 15-274** and **Comp. Pol. File No. 1256** for the Analog Video Service-TV-1 Application; and **WC Docket No. 15-279** and **Comp. Pol. File No. 1257** for the Program Audio Service Application. Comments should include specific information about the impact of the proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁴² Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

Parties who choose to file by paper must file an original and one copy of each filing. Because more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ See 47 C.F.R. § 63.71(d) (stating, in relevant part, that an application filed by a dominant carrier "shall be automatically granted on the 60th day... unless the Commission has notified the applicant that the grant will not be automatically effective.").

⁴² See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Copies of the comments may also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers, or faxed to the FCC at (202) 418-1413, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s ex parte rules.⁴³ Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (888) 835-5322 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau, Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau (for the Analog Voice Grade Private Line Services Application or the Program Audio Service Application), or Kimberly Jackson, (202) 418-7393 (voice), Kimberly.Jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau (for the Analog Video Service-TV-1 Application). The tty number is (888) 835-5322. For further information on procedures regarding section 214 please visit <https://www.fcc.gov/encyclopedia/domestic-section-214-discontinuance-service>.

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⁴³ 47 C.F.R. §§ 1.1200 *et seq.*